

**Attorney General John Ashcroft**  
**Prepared Remarks for the US Mayors Conference**  
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For more than two hundred years, Attorneys General have called on the men and women of justice to be faithful stewards of the law. Rarely in history has an Attorney General asked America's prosecutors and law enforcement officers to do what they are asked to do today: to be both defenders of justice and defenders of the people; to devote their talents and energies to the urgent task of saving lives ahead of losing cases.

On September 11, the wheel of history turned and the world will never be the same. A turning point was reached, as well, in the administration of justice. The fight against terrorism is now the first and overriding priority of the Department of Justice. But our war against terrorism is not merely or primarily a criminal justice endeavor -- our battle is the defense of our nation and its citizens.

The men and women of justice and law enforcement are called on to combat a terrorist threat that is both immediate and vast; a threat that resides here, at home, but whose supporters, patrons and sympathizers form a multinational network of evil.

The attacks of September 11 were acts of terrorism against America orchestrated and carried out by individuals living within our borders.

Today's terrorists enjoy the benefits of our free society even as they commit themselves to our destruction. They live in our communities -- plotting, planning and waiting to kill Americans again. They have crossed the Rubicon of terror with the use of biological agents. We cannot explicitly link the recent terrorist attacks to the September 11 hijackers. Yet, terrorists -- people who were either involved with, associated with or are seeking to take advantage of the September 11 attacks -- are now poisoning our communities with Anthrax.

Forty years ago, another Attorney General was confronted with a different enemy within our borders. Robert F. Kennedy came to the Department of Justice at a time when organized crime was threatening the very foundations of the republic. Mobsters controlled one of the nation's largest labor unions. Racketeers murdered, bribed and extorted with impunity in many of the nation's largest cities.

Then, as now, the enemy that America faced was described bluntly -- and correctly -- as a conspiracy of evil. Then, as now, the enemy was well-financed, expertly organized and international in scope. Then, as now, its operations were hidden under a code of deadly silence.

As Attorney General, Robert Kennedy launched an extraordinary campaign against organized crime. Under his leadership, the mission and momentum of the Department of Justice were directed toward one overarching goal: to identify, disrupt and dismantle the organized-crime enemy within. A new spirit of cooperation was forged, both among federal agencies and between state and federal law enforcement. Prosecutors were action oriented -- pursuing cases rather than waiting for the cases to come to them. Investigators focused on function, not form -- they focused on doing what was necessary to get the job done rather than what was dictated by the organizational chart.

Attorney General Kennedy made no apologies for using all of the available resources in the law to disrupt and dismantle organized crime networks. Very often, prosecutors were aggressive, using obscure statutes to arrest and detain suspected mobsters. One racketeer and his father were

indicted for lying on a federal home loan application. A former gunman for the Capone mob was brought to court on a violation of the Migratory Bird Act. Agents found 563 game birds in his freezer -- a mere 539 birds over the limit.

There are obvious differences, of course, between the network of organized crime America faced in 1961 and the network of terror we face today. Today, many more innocent lives have been lost. Many more innocent lives continue to be threatened. But these differences serve only to call us more urgently to action.

The American people face a serious, immediate and ongoing threat from terrorism. At this moment, American service men and women are risking their lives to battle the enemy overseas. It falls to the men and women of justice and law enforcement to engage terrorism at home. History's judgment will be harsh -- and the people's judgment will be sure -- if we fail to use every available resource to prevent future terrorist attacks.

Robert Kennedy's Justice Department, it is said, would arrest mobsters for "spitting on the sidewalk" if it would help in the battle against organized crime. It has been and will be the policy of this Department of Justice to use the same aggressive arrest and detention tactics in the war on terror.

Let the terrorists among us be warned: If you overstay your visa -- even by one day -- we will arrest you. If you violate a local law, you will be put in jail and kept in custody as long as possible. We will use every available statute. We will seek every prosecutorial advantage. We will use all our weapons within the law and under the Constitution to protect life and enhance security for America.

In the war on terror, this Department of Justice will arrest and detain any suspected terrorist who has violated the law. Our single objective is to prevent terrorist attacks by taking suspected terrorists off the street. If suspects are found not to have links to terrorism or not to have violated the law, they are released. But terrorists who are in violation of the law will be convicted, in some cases deported, and in all cases prevented from doing further harm to Americans.

Within days of the September 11 attacks, we launched this anti-terrorism offensive to prevent new attacks on our homeland. To date, our anti-terrorism offensive has arrested or detained nearly 1,000 individuals as part of the September 11 terrorism investigation. Those who violated the law remain in custody. Taking suspected terrorists in violation of the law off the streets and keeping them locked up is our clear strategy to prevent terrorism within our borders.

Today, the Department of Justice is positioned to launch a new offensive against terrorism. Due to extraordinary bi-partisan and bi-cameral cooperation in the Congress, law enforcement will have new weapons in the war on terrorism. Yesterday, by an overwhelming margin, the House passed the Anti-terrorism Act of 2001. Hours from now, the Senate is poised to follow suit.

The president is expected to sign this legislation on Friday. The hour that it becomes law, I will issue guidance to each of our 94 U.S. Attorney's Offices and 56 FBI field offices directing them to begin immediately implementing this sweeping legislation. I will issue directives requiring law enforcement to make use of new powers in intelligence gathering, criminal procedure and immigration violations. A new era in America's fight against terrorism, made tragically necessary by the attacks of September 11, is about to begin.

The legislation embodies two over-arching principles:

The first principle is airtight surveillance of terrorists. Upon the president's signature, I will direct investigators and prosecutors to begin immediately seeking court orders to intercept

communications related to an expanded list of crimes under the legislation. Communications regarding terrorist offenses such as the use of biological or chemical agents, financing acts of terrorism or materially supporting terrorism will be subject to interception by law enforcement.

Agents will be directed to take advantage of new, technologically neutral standards for intelligence gathering. So-called "roving" wiretaps, that allow taps of multiple phones a suspect may use, are being added as important as an important weapon in our war against terror.

Investigators will be directed to pursue aggressively terrorists on the Internet. New authority in the legislation permits the use of devices that capture senders and receivers addresses associated with communications on the Internet.

Law enforcement will begin immediately to seek search warrants to obtain unopened voice-mail stored on a computer -- just as they traditionally have used search warrants to obtain unopened email. They will also begin to use new subpoena power to obtain payment information such as credit card or bank account numbers of suspected terrorists on the Internet.

The second principle enshrined in the legislation is speed in tracking down and intercepting terrorists. As soon as possible, law enforcement will begin to employ new tools that ease administrative burdens and delays in apprehending terrorists.

Investigators are now able to use a single court order to trace a communication even when it travels outside the judicial district in which the order was issued. The scope of search warrants for unopened e-mail and other evidence is now also nationwide.

The new tools for law enforcement in the war against terrorism are the products of hundreds of hours of consultation and careful consideration by the administration, members of Congress, and state and local officials. They are careful, balanced, and long overdue improvements in our capacity to prevent terrorism.

The federal government cannot fight this reign of terror alone. Every American must help us defend our nation against this enemy. Every state, every county, every municipality must join together to form a common defense against terrorism.

The law enforcement campaign that will commence in earnest when the legislation is signed into law will be many years in duration. Some will ask whether a civilized nation -- a nation of law and not of men -- can use the law to defend itself from barbarians and remain civilized. Our answer, unequivocally, is "yes." Yes, we will defend civilization. And yes, we will preserve the rule of law because it makes us civilized.

The men and women of justice and law enforcement have been asked to shoulder a great burden for the safety and security of the American people. We will, as we have in the past, never waiver in our faith and loyalty to the Constitution and never tire in our defense of the rights it enshrines.

Years after he left the office of Attorney General, an observer of Robert Kennedy wrote that RFK brought these assets to his successful campaign against organized crime: \*A constructive anger. \*An intimate knowledge of his subject. \*A talented team of prosecutors. \*And, finally, a partner in the White House.

Today, as we embark on this campaign against terrorism, we are blessed with a similar set of advantages. Our anger, too, is constructive. Our knowledge is growing. Our team is talented. And our leadership in the White House is unparalleled.

George W. Bush has done more -- much more -- than declare war on terrorism. George W. Bush is fighting a war on terrorism. Under his leadership, we have pledged ourselves to victory.

Terrorists live in the shadows, under the cover of darkness. We will shine the light of justice on them. Americans alive today and yet to be born and freedom-loving people everywhere will have new reason to hope because our enemies now have new reason to fear.

Thank you.